



CrI.OP.No.16458 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.16458 of 2022

Naresh

...Petitioner/A10

Vs.

State Represented by  
The Inspector of Police,  
B3, Kadambathur Police Station,  
Thiruvallur District.

..Respondent

**PRAYER:**

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in Crime No.76 of 2022 on the file of Inspector of Police, B3, Kadambathur Police Station.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.A.Damodaran,  
Additional Public Prosecutor

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 12.04.2022 for the offences punishable under Section 8(c) r/w Section 20(b)(ii)(B), 22(b), 22(c), 25 and 29(1) of the NDPS Act in crime No.76 of 2022 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on receiving secret information the respondent police had conducted inspection at Kadambathur Railway station near Rajiv Gandhi Nagar and intercepted a car and found accused person in possession of LSD Stamps 15 Nos. The Baleno car in which they were travelling and also the pulsar bike and Iphone were seized. Thereafter, they went to another place and found another accused person have parked the Scorpio Car in the car shed and in possession of LSD Stamp 10 Nos., MDMA Tablets 26 Nos. and Meth Crystal 1 gram. Followed by which, other accused persons were found in possession of YABA tablets 90 Nos. The arrested persons have informed that the other accused persons including the petitioner herein were also doing the same business. On such information, the petitioner herein was found in possession of 2.5 Kgs of Ganja. Hence, the case.

3. Even according to the case of the prosecution, there are totally 12 accused, in which the petitioner is arrayed as A10. Based on the confession statement of A1, the petitioner has been implicated as an accused. As such from the petitioner, respondent police recovered 2.5 Kgs of Ganja and it is below commercial quantity. Though the other



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accused persons were in possession of LSD Stamps 15 Nos., LSD Stamp 10 Nos., MDMA Tablets 26 Nos., Meth Crystal 1 gram and YABA tablets 90 Nos. and its is a commercial quantity, as far as the petitioner herein is concerned, he was in possession of 2.5 Kgs of Ganja.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e., 12.04.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood related sureties**, each for a like sum to the satisfaction of the **Special Court under NDPS Act, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

**[b] the petitioner shall stay at Bhavani and report before the Inspector of Police, Bhavani Police Station twice daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter report before the respondent police daily at 10.30 a.m., until further orders .**



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[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

**20.07.2022**

mpl



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**G.K.ILANTHIRAIYAN, J.**

mpl

To

- 1.The Special Court under NDPS Act,  
Chennai.
- 2.The Inspector of Police,  
B3, Kadambathur Police Station,  
Thiruvallur District.
- 3.Central Prison,  
Puzhal.
- 4.The Public Prosecutor,  
High Court of Madras

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